## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

CHARLENE CARTER,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 3:17-CV-2278-X
	§	
TRANSPORT WORKERS UNION	§	
OF AMERICA, LOCAL 556, and	§	
SOUTHWEST AIRLINES CO.,	§	
	§	
Defendants.	§	

## MEMORANDUM OPINION AND ORDER

Before the Court are three motions, Plaintiff Charlene Carter's two motions for fees (Docs. 376, 475) and the Carter's motion to supplement the record on appeal (Doc. 487). The Court **DENIES WITHOUT PREJUDICE** the fee motions (Docs. 376, 475). In the event the court of appeals affirms the judgment, this Court will set a deadline to refile the fee motions.

And the Court **GRANTS** the motion to supplement the record on appeal. Carter moved to supplement the appellate record exhibits Carter admitted at the show cause hearing as well as "ex parte addendums to the sanctions orders (Docs. 468 and 469), Southwest Airlines Co.'s (Southwest) ex parte hearing exhibits (Docs. 479, 479-1 through 479-14), all ex parte testimony from the May 23 and July 20 contempt hearings, including the ex parte portions of hearing transcripts (Doc. 441) (Tr. 116:3-118:15); (Doc. 465) (Tr. 389:13-519:5), and all other contempt

proceedings documents provided to the Court *in camera*. Carter may refile the motions after the appeal, if appropriate." Doc. 487 at 3.

The Court directs the clerk to prepare Plaintiff's Exhibits 1-18 of the show cause hearing (attached to Doc. 487) as a supplemental record on appeal. The Court further orders the clerk to prepare (1) the *ex parte* addendums to the sanctions orders (Docs. 468 and 469), and (2) Southwest's *ex parte* hearing exhibits (Docs. 479, 479-1 through 479-14) as a supplemental, *ex parte* record on appeal.

The Court directs counsel for Carter to order the transcript of the *ex parte* portion of the proceeding. And the Court directs the court reporter to file the transcript on the docket as an *ex parte* transcript, not giving access to entities other than the court system or Southwest.

For the sake of clarity, nothing in this order gives Carter or any other person or entity a right of access to *ex parte* materials.

IT IS SO ORDERED this 28th day of January, 2025.

BRANTLEY STARR

UNITED STATES DISTRICT JUDGE